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Docket No. 48075-B-PCT-US/JPW/AUM/HA

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9-9-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Timothy H. Bestor
Serial No.: 09/051,013 Group Art Unit: 1652
Filed : October 9, 1998 Examiner: David J. Steadman
For : CHIMERIC DNA-BINDING/DNA METHYLTRANSFERASE
NUCLEIC ACID AND POLYPEPTIDE AND USES THEREOF

1185 Avenue of the Americas
New York, New York 10036
August 21, 2002

Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

COMMUNICATION IN RESPONSE TO MAY 21, 2002 RESTRICTION
REQUIREMENT AND PETITION FOR A TWO-MONTH EXTENSION OF TIME

This Communication is submitted in response to the May 21, 2002 Office Action issued by the United States Patent and Trademark Office in connection with the above-identified application. A response to the May 21, 2002 Office Action was due June 21, 2002. Applicants hereby request a two-month extension of time from June 21, 2002 to August 21, 2002 for filing a response. The fee for a two-month extension of time for a small entity is \$200.00, and a check for this amount is enclosed. Accordingly, this Communication is being timely filed.

In the Office Action, the Examiner restricted pending claims 1-26, 29 and 34-47 under 35 U.S.C. §121 to one of the following allegedly distinct inventions as follows:

I. Claims 1-4, 6-26, 29 and 42-46, drawn to a chimeric protein

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comprising a CpG-specific or M. SssIDNA methyltransferase with attenuated DNA binding activity and a zinc three-finger DNA binding protein, an expression vector encoding said chimeric protein, a method of inhibiting expression of a gene, and a pharmaceutical composition comprising said vector;

II. Claims 1-3, 5, 7-26, 29 and 42-46, drawn to a chimeric protein comprising a cytosine methyltransferase with attenuated DNA binding activity and a mutated LexA DNA binding protein, an expression vector encoding said chimeric protein, a method of inhibiting expression of a gene, and a pharmaceutical composition comprising said expression vector;

III. Claims 34-41, drawn to a method of treating a subject infected with a virus by administering a chimeric protein; and

IV. Claim 47, drawn to transgenic non-human mammal.

The Examiner also required under 35 U.S.C. §121 election of a single disclosed species from the following:

- A. gene associated with a cancer;
- B. gene associated with a central nervous system disorder;
- C. gene associated with a blood disorder;
- D. gene associated with a metabolic disorder;
- E. gene associated with a cardiovascular disorder;